

104TH CONGRESS
2D Session

H. R. 3675

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

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Making appropriations for the Department of Transportation
and related agencies for the fiscal year ending September
30, 1997, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any

1 money in the Treasury not otherwise appropriated, for the
2 Department of Transportation and related agencies for
3 the fiscal year ending September 30, 1997, and for other
4 purposes, namely:

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,
10 \$53,816,000, of which not to exceed \$40,000 shall be
11 available as the Secretary may determine for allocation
12 within the Department for official reception and represen-
13 tation expenses: *Provided*, That notwithstanding any other
14 provision of law, there may be credited to this appropria-
15 tion up to \$1,000,000 in funds received in user fees estab-
16 lished to support the electronic tariff filing system: *Pro-*
17 *vided further*, That none of the funds appropriated in this
18 Act or otherwise made available may be used to maintain
19 custody of airline tariffs that are already available for pub-
20 lic and departmental access at no cost; to secure them
21 against detection, alteration, or tampering; and open to
22 inspection by the Department.

23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,
25 \$5,574,000.

6 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

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1 PAYMENTS TO AIR CARRIERS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (AIRPORT AND AIRWAY TRUST FUND)
4 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

5 For liquidation of obligations incurred for payments
6 to air carriers of so much of the compensation fixed and
7 determined under subchapter II of chapter 417 of title 49,
8 United States Code, as is payable by the Department of
9 Transportation, \$10,000,000, to remain available until ex-
10 pended and to be derived from the Airport and Airway
11 Trust Fund: *Provided*, That none of the funds in this Act
12 shall be available for the implementation or execution of
13 programs in excess of \$10,000,000 for the Payments to
14 Air Carriers program in fiscal year 1997: *Provided further*,
15 That none of the funds in this Act shall be used by the
16 Secretary of Transportation to make payment of com-
17 pensation under subchapter II of chapter 417 of title 49,
18 United States Code, in excess of the appropriation in this
19 Act for liquidation of obligations incurred under the “Pay-
20 ments to air carriers” program: *Provided further*, That
21 none of the funds in this Act shall be used for the payment
22 of claims for such compensation except in accordance with
23 this provision: *Provided further*, That none of the funds
24 in this Act shall be available for service to communities
25 in the forty-eight contiguous States that are located fewer
26 than seventy highway miles from the nearest large or me-

1 dium hub airport, or that require a rate of subsidy per
 2 passenger in excess of \$200 unless such point is greater
 3 than two hundred and ten miles from the nearest large
 4 or medium hub airport: *Provided further*, That of funds
 5 provided for “Small Community Air Service” by Public
 6 Law 101–508, \$28,600,000 in fiscal year 1997 is hereby
 7 rescinded.

8 PAYMENTS TO AIR CARRIERS

9 (RESCISSION)

10 Of the budgetary resources remaining available under
 11 this heading, \$1,133,000 are rescinded.

12 RENTAL PAYMENTS

13 For necessary expenses for rental of headquarters
 14 and field space not to exceed 8,580,000 square feet and
 15 for related services assessed by the General Services Ad-
 16 ministration, \$127,447,000: *Provided*, That of this
 17 amount, \$2,022,000 shall be derived from the Highway
 18 Trust Fund, \$39,113,000 shall be derived from the Air-
 19 port and Airway Trust Fund, \$840,000 shall be derived
 20 from the Pipeline Safety Fund, and \$193,000 shall be de-
 21 rived from the Harbor Maintenance Trust Fund: *Provided*
 22 *further*, That in addition, for assessments by the General
 23 Services Administration related to the space needs of the
 24 Federal Highway Administration, \$17,294,000, to be de-

1 rived from “Federal-aid Highways”, subject to the “Lim-
 2 itation on General Operating Expenses”.

3 MINORITY BUSINESS RESOURCE CENTER PROGRAM

4 For the cost of direct loans, \$1,500,000, as author-
 5 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-
 6 ing the cost of modifying such loans, shall be as defined
 7 in section 502 of the Congressional Budget Act of 1974:
 8 *Provided further*, That these funds are available to sub-
 9 sidize gross obligations for the principal amount of direct
 10 loans not to exceed \$15,000,000. In addition, for adminis-
 11 trative expenses to carry out the direct loan program,
 12 \$400,000.

13 MINORITY BUSINESS OUTREACH

14 For necessary expenses of the Minority Business Re-
 15 source Center outreach activities, \$2,900,000, of which
 16 \$2,635,000 shall remain available until September 30,
 17 1998: *Provided*, That notwithstanding 49 U.S.C. 332,
 18 these funds may be used for business opportunities related
 19 to any mode of transportation.

20 COAST GUARD

21 OPERATING EXPENSES

22 For necessary expenses for the operation and mainte-
 23 nance of the Coast Guard, not otherwise provided for; pur-
 24 chase of not to exceed five passenger motor vehicles for
 25 replacement only; payments pursuant to section 156 of

1 Public Law 97–377, as amended (42 U.S.C. 402 note),
 2 and section 229(b) of the Social Security Act (42 U.S.C.
 3 429(b)); and recreation and welfare; \$2,609,100,000, of
 4 which \$25,000,000 shall be derived from the Oil Spill Li-
 5 ability Trust Fund: *Provided*, That the number of aircraft
 6 on hand at any one time shall not exceed two hundred
 7 and eighteen, exclusive of aircraft and parts stored to meet
 8 future attrition: *Provided further*, That none of the funds
 9 appropriated in this or any other Act shall be available
 10 for pay or administrative expenses in connection with ship-
 11 ping commissioners in the United States: *Provided further*,
 12 That none of the funds provided in this Act shall be avail-
 13 able for expenses incurred for yacht documentation under
 14 46 U.S.C. 12109, except to the extent fees are collected
 15 from yacht owners and credited to this appropriation: *Pro-*
 16 *vided further*, That the Commandant shall reduce both
 17 military and civilian employment levels for the purpose of
 18 complying with Executive Order No. 12839.

19 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

20 For necessary expenses of acquisition, construction,
 21 renovation, and improvement of aids to navigation, shore
 22 facilities, vessels, and aircraft, including equipment related
 23 thereto, \$358,000,000, of which \$20,000,000 shall be de-
 24 rived from the Oil Spill Liability Trust Fund; of which
 25 \$205,600,000 shall be available to acquire, repair, ren-

1 ovate or improve vessels, small boats and related equip-
2 ment, to remain available until September 30, 2001;
3 \$18,300,000 shall be available to acquire new aircraft and
4 increase aviation capability, to remain available until Sep-
5 tember 30, 1999; \$39,900,000 shall be available for other
6 equipment, to remain available until September 30, 1999;
7 \$47,950,000 shall be available for shore facilities and aids
8 to navigation facilities, to remain available until Septem-
9 ber 30, 1999; and \$46,250,000 shall remain available for
10 personnel compensation and benefits and related costs, to
11 remain available until September 30, 1998: *Provided*,
12 That funds received from the sale of the VC-11A and
13 HU-25 aircraft shall be credited to this appropriation for
14 the purpose of acquiring new aircraft and increasing avia-
15 tion capacity: *Provided further*, That the Commandant
16 may dispose of surplus real property by sale or lease and
17 the proceeds of such sale or lease shall be credited to this
18 appropriation: *Provided further*, That the property in
19 Wildwood, New Jersey shall be disposed of in a manner
20 resulting in a final fiscal year 1997 appropriation esti-
21 mated at \$338,000,000: *Provided further*, That none of
22 the funds in this Act may be obligated or expended to con-
23 tinue the “Vessel Traffic Service 2000” Program.

1 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

2 (RESCISSIONS)

3 Of the available balances under this heading provided
4 in Public Law 104–50, \$3,400,000 are rescinded.

5 Of the available balances under this heading provided
6 in Public Law 103–331, \$355,000 are rescinded.

7 ENVIRONMENTAL COMPLIANCE AND RESTORATION

8 For necessary expenses to carry out the Coast
9 Guard’s environmental compliance and restoration func-
10 tions under chapter 19 of title 14, United States Code,
11 \$21,000,000, to remain available until expended.

12 ALTERATION OF BRIDGES

13 For necessary expenses for alteration or removal of
14 obstructive bridges, \$16,000,000, to remain available until
15 expended.

16 RETIRED PAY

17 For retired pay, including the payment of obligations
18 therefor otherwise chargeable to lapsed appropriations for
19 this purpose, and payments under the Retired Service-
20 man’s Family Protection and Survivor Benefits Plans, and
21 for payments for medical care of retired personnel and
22 their dependents under the Dependents Medical Care Act
23 (10 U.S.C. ch. 55) \$608,084,000.

1 RESERVE TRAINING

2 For all necessary expenses for the Coast Guard Re-
3 serve, as authorized by law; maintenance and operation
4 of facilities; and supplies, equipment, and services;
5 \$65,890,000.

6 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

7 For necessary expenses, not otherwise provided for,
8 for applied scientific research, development, test, and eval-
9 uation; maintenance, rehabilitation, lease and operation of
10 facilities and equipment, as authorized by law,
11 \$19,000,000, to remain available until expended, of which
12 \$5,020,000 shall be derived from the Oil Spill Liability
13 Trust Fund: *Provided*, That there may be credited to this
14 appropriation funds received from State and local govern-
15 ments, other public authorities, private sources, and for-
16 eign countries, for expenses incurred for research, develop-
17 ment, testing, and evaluation.

18 BOAT SAFETY

19 (AQUATIC RESOURCES TRUST FUND)

20 For payment of necessary expenses incurred for rec-
21 reational boating safety assistance under Public Law 92-
22 75, as amended, \$35,000,000, to be derived from the Boat
23 Safety Account and to remain available until expended.

1 FEDERAL AVIATION ADMINISTRATION
2 OPERATIONS

3 For necessary expenses of the Federal Aviation Ad-
4 ministration, not otherwise provided for, including oper-
5 ations and research activities related to commercial space
6 transportation, administrative expenses for research and
7 development, establishment of air navigation facilities and
8 the operation (including leasing) and maintenance of air-
9 craft, and carrying out the provisions of subchapter I of
10 chapter 471 of title 49, United States Code, or other pro-
11 visions of law authorizing the obligation of funds for simi-
12 lar programs of airport and airway development or im-
13 provement, lease or purchase of four passenger motor ve-
14 hicles for replacement only, \$4,900,000,000, of which
15 \$1,642,500,000 shall be derived from the Airport and Air-
16 way Trust Fund: *Provided*, That notwithstanding any
17 other provision of law, not to exceed \$30,000,000 from
18 additional user fees to be established by the Administrator
19 of the Federal Aviation Administration shall be credited
20 to this appropriation as offsetting collections and used for
21 necessary and authorized expenses under this heading:
22 *Provided further*, That the sum herein appropriated from
23 the general fund shall be reduced on a dollar for dollar
24 basis as such offsetting collections are received during fis-
25 cal year 1997, to result in a final fiscal year 1997 appro-

1 priation from the general fund estimated at not more than
2 \$2,127,398,000: *Provided further*, That the only addi-
3 tional user fees authorized as offsetting collections are fees
4 for services provided to aircraft that neither take off from,
5 nor land in, the United States: *Provided further*, That
6 there may be credited to this appropriation, funds received
7 from States, counties, municipalities, foreign authorities,
8 other public authorities, and private sources, for expenses
9 incurred in the provision of agency services, including re-
10 ceipts for the maintenance and operation of air navigation
11 facilities and, for issuance, renewal or modification of cer-
12 tificates, including airman, aircraft, and repair station cer-
13 tificates, or for tests related thereto, or for processing
14 major repair or alteration forms: *Provided further*, That
15 funds may be used to enter into a grant agreement with
16 a nonprofit standard setting organization to assist in the
17 development of aviation safety standards: *Provided fur-*
18 *ther*, That none of the funds in this Act shall be available
19 for new applicants for the second career training program:
20 *Provided further*, That none of the funds in this Act shall
21 be available for paying premium pay under 5 U.S.C.
22 5546(a) to any Federal Aviation Administration employee
23 unless such employee actually performed work during the
24 time corresponding to such premium pay: *Provided fur-*
25 *ther*, That none of the funds in this Act may be obligated

1 or expended to operate a manned auxiliary flight service
2 station in the contiguous United States: *Provided further*,
3 That none of the funds derived from the Airport and Air-
4 way Trust Fund may be used to support the operations
5 and activities of the Associate Administrator for Commer-
6 cial Space Transportation.

7 FACILITIES AND EQUIPMENT

8 (AIRPORT AND AIRWAY TRUST FUND)

9 For necessary expenses, not otherwise provided for,
10 for acquisition, establishment, and improvement by con-
11 tract or purchase, and hire of air navigation and experi-
12 mental facilities and equipment as authorized under part
13 A of subtitle VII of title 49, United States Code, including
14 initial acquisition of necessary sites by lease or grant; en-
15 gineering and service testing, including construction of
16 test facilities and acquisition of necessary sites by lease
17 or grant; and construction and furnishing of quarters and
18 related accommodations for officers and employees of the
19 Federal Aviation Administration stationed at remote local-
20 ities where such accommodations are not available; and
21 the purchase, lease, or transfer of aircraft from funds
22 available under this head; to be derived from the Airport
23 and Airway Trust Fund, \$1,800,000,000, of which
24 \$1,583,000,000 shall remain available until September 30,
25 1999, and of which \$217,000,000 shall remain available

1 until September 30, 1997: *Provided*, That there may be
 2 credited to this appropriation funds received from States,
 3 counties, municipalities, other public authorities, and pri-
 4 vate sources, for expenses incurred in the establishment
 5 and modernization of air navigation facilities.

6 RESEARCH, ENGINEERING, AND DEVELOPMENT

7 (AIRPORT AND AIRWAY TRUST FUND)

8 For necessary expenses, not otherwise provided for,
 9 for research, engineering, and development, as authorized
 10 under part A of subtitle VII of title 49, United States
 11 Code, including construction of experimental facilities and
 12 acquisition of necessary sites by lease or grant,
 13 \$185,000,000, to be derived from the Airport and Airway
 14 Trust Fund and to remain available until September 30,
 15 1999: *Provided*, That there may be credited to this appro-
 16 priation funds received from States, counties, municipali-
 17 ties, other public authorities, and private sources, for ex-
 18 penses incurred for research, engineering, and develop-
 19 ment.

20 GRANTS-IN-AID FOR AIRPORTS

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (AIRPORT AND AIRWAY TRUST FUND)

23 For liquidation of obligations incurred for grants-in-
 24 aid for airport planning and development, and for noise
 25 compatibility planning and programs as authorized under

1 subchapter I of chapter 471 and subchapter I of chapter
2 475 of title 49, United States Code, and under other law
3 authorizing such obligations, \$1,500,000,000, to be de-
4 rived from the Airport and Airway Trust Fund and to re-
5 main available until expended: *Provided*, That none of the
6 funds in this Act shall be available for the planning or
7 execution of programs the obligations for which are in ex-
8 cess of \$1,300,000,000 in fiscal year 1997 for grants-in-
9 aid for airport planning and development, and noise com-
10 patibility planning and programs, notwithstanding section
11 47117(h) of title 49, United States Code.

12 AVIATION INSURANCE REVOLVING FUND

13 The Secretary of Transportation is hereby authorized
14 to make such expenditures and investments, within the
15 limits of funds available pursuant to 49 U.S.C. 44307, and
16 in accordance with section 104 of the Government Cor-
17 poration Control Act, as amended (31 U.S.C. 9104), as
18 may be necessary in carrying out the program for aviation
19 insurance activities under chapter 443 of title 49, United
20 States Code.

21 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

22 None of the funds in this Act shall be available for
23 activities under this heading during fiscal year 1997.

1 FEDERAL HIGHWAY ADMINISTRATION

2 LIMITATION ON GENERAL OPERATING EXPENSES

3 Necessary expenses for administration, operation, in-
4 cluding motor carrier safety program operations, and re-
5 search of the Federal Highway Administration not to ex-
6 ceed \$510,981,000 shall be paid in accordance with law
7 from appropriations made available by this Act to the Fed-
8 eral Highway Administration together with advances and
9 reimbursements received by the Federal Highway Admin-
10 istration: *Provided*, That \$214,698,000 of the amount pro-
11 vided herein shall remain available until September 30,
12 1999.

13 HIGHWAY-RELATED SAFETY GRANTS

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (HIGHWAY TRUST FUND)

16 For payment of obligations incurred in carrying out
17 the provisions of title 23, United States Code, section 402
18 administered by the Federal Highway Administration, to
19 remain available until expended, \$2,049,000 to be derived
20 from the Highway Trust Fund.

21 FEDERAL-AID HIGHWAYS

22 (LIMITATION ON OBLIGATIONS)

23 (HIGHWAY TRUST FUND)

24 None of the funds in this Act shall be available for
25 the implementation or execution of programs the obliga-

1 tions for which are in excess of \$17,550,000,000 for Fed-
2 eral-aid highways and highway safety construction pro-
3 grams for fiscal year 1997.

4 FEDERAL-AID HIGHWAYS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (HIGHWAY TRUST FUND)

7 For carrying out the provisions of title 23, United
8 States Code, that are attributable to Federal-aid high-
9 ways, including the National Scenic and Recreational
10 Highway as authorized by 23 U.S.C. 148, not otherwise
11 provided, including reimbursements for sums expended
12 pursuant to the provisions of 23 U.S.C. 308,
13 \$19,800,000,000 or so much thereof as may be available
14 in and derived from the Highway Trust Fund, to remain
15 available until expended.

16 RIGHT-OF-WAY REVOLVING FUND

17 (LIMITATION ON DIRECT LOANS)

18 (HIGHWAY TRUST FUND)

19 None of the funds under this head are available for
20 obligations for right-of-way acquisition during fiscal year
21 1997.

1 MOTOR CARRIER SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (HIGHWAY TRUST FUND)

4 For payment of obligations incurred in carrying out
5 49 U.S.C. 31102, \$74,000,000, to be derived from the
6 Highway Trust Fund and to remain available until ex-
7 pended: *Provided*, That none of the funds in this Act shall
8 be available for the implementation or execution of pro-
9 grams the obligations for which are in excess of
10 \$77,425,000 for “Motor Carrier Safety Grants”.

11 NATIONAL HIGHWAY TRAFFIC SAFETY
12 ADMINISTRATION

13 OPERATIONS AND RESEARCH

14 For expenses necessary to discharge the functions of
15 the Secretary with respect to traffic and highway safety
16 under part C of subtitle VI of title 49, United States Code,
17 and chapter 301 of title 49, United States Code,
18 \$81,895,000, of which \$45,646,000 shall remain available
19 until September 30, 1999: *Provided*, That none of the
20 funds appropriated by this Act may be obligated or ex-
21 pended to plan, finalize, or implement any rulemaking to
22 add to section 575.104 of title 49 of the Code of Federal
23 Regulations any requirement pertaining to a grading
24 standard that is different from the three grading stand-

1 ards (treadwear, traction, and temperature resistance) al-
 2 ready in effect.

3 OPERATIONS AND RESEARCH

4 (HIGHWAY TRUST FUND)

5 For expenses necessary to discharge the functions of
 6 the Secretary with respect to traffic and highway safety
 7 under 23 U.S.C. 403 and section 2006 of the Intermodal
 8 Surface Transportation Efficiency Act of 1991 (Public
 9 Law 102–240), to be derived from the Highway Trust
 10 Fund, \$50,377,000, of which \$27,066,000 shall remain
 11 available until September 30, 1999.

12 HIGHWAY TRAFFIC SAFETY GRANTS

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (HIGHWAY TRUST FUND)

15 For payment of obligations incurred carrying out the
 16 provisions of 23 U.S.C. 153, 402, 408, and 410, chapter
 17 303 of title 49, United States Code, and section 209 of
 18 Public Law 95–599, as amended, to remain available until
 19 expended, \$167,100,000, to be derived from the Highway
 20 Trust Fund: *Provided*, That, notwithstanding subsection
 21 2009(b) of the Intermodal Surface Transportation Effi-
 22 ciency Act of 1991, none of the funds in this Act shall
 23 be available for the planning or execution of programs the
 24 total obligations for which, in fiscal year 1997, are in ex-
 25 cess of \$167,100,000 for programs authorized under 23

1 U.S.C. 402 and 410, as amended, of which \$127,700,000
2 shall be for “State and community highway safety
3 grants”, \$2,400,000 shall be for the “National Driver
4 Register”, \$11,000,000 shall be for highway safety grants
5 as authorized by section 1003(a)(7) of Public Law 102–
6 240, and \$26,000,000 shall be for section 410 “Alcohol-
7 impaired driving counter-measures programs”: *Provided*
8 *further*, That none of these funds shall be used for con-
9 struction, rehabilitation or remodeling costs, or for office
10 furnishings and fixtures for State, local, or private build-
11 ings or structures: *Provided further*, That not to exceed
12 \$5,268,000 of the funds made available for section 402
13 may be available for administering “State and community
14 highway safety grants”: *Provided further*, That not to ex-
15 ceed \$150,000 of the funds made available for section 402
16 may be available for administering the highway safety
17 grants authorized by section 1003(a)(7) of Public Law
18 102–240: *Provided further*, That the unobligated balances
19 of the appropriation “Highway-Related Safety Grants”
20 shall be transferred to and merged with this “Highway
21 Traffic Safety Grants” appropriation: *Provided further*,
22 That not to exceed \$500,000 of the funds made available
23 for section 410 “Alcohol-impaired driving counter-meas-
24 ures programs” shall be available for technical assistance
25 to the States.

1 FEDERAL RAILROAD ADMINISTRATION

2 OFFICE OF THE ADMINISTRATOR

3 For necessary expenses of the Federal Railroad Ad-
4 ministration, not otherwise provided for, \$16,469,000, of
5 which \$1,523,000 shall remain available until expended:
6 *Provided*, That none of the funds in this Act shall be avail-
7 able for the planning or execution of a program making
8 commitments to guarantee new loans under the Emer-
9 gency Rail Services Act of 1970, as amended, and no new
10 commitments to guarantee loans under section 211(a) or
11 211(h) of the Regional Rail Reorganization Act of 1973,
12 as amended, shall be made: *Provided further*, That, as part
13 of the Washington Union Station transaction in which the
14 Secretary assumed the first deed of trust on the property
15 and, where the Union Station Redevelopment Corporation
16 or any successor is obligated to make payments on such
17 deed of trust on the Secretary's behalf, including pay-
18 ments on and after September 30, 1988, the Secretary
19 is authorized to receive such payments directly from the
20 Union Station Redevelopment Corporation, credit them to
21 the appropriation charged for the first deed of trust, and
22 make payments on the first deed of trust with those funds:
23 *Provided further*, That such additional sums as may be
24 necessary for payment on the first deed of trust may be
25 advanced by the Administrator from unobligated balances

1 available to the Federal Railroad Administration, to be re-
2 imbursed from payments received from the Union Station
3 Redevelopment Corporation.

4 RAILROAD SAFETY

5 For necessary expenses in connection with railroad
6 safety, not otherwise provided for, \$51,407,000, of which
7 \$2,476,000 shall remain available until expended: *Pro-*
8 *vided*, That notwithstanding any other law, funds appro-
9 priated under this heading are available for the reimburse-
10 ment of out-of-state travel and per diem costs incurred
11 by employees of state governments directly supporting the
12 Federal railroad safety program, including regulatory de-
13 velopment and compliance-related activities.

14 RAILROAD RESEARCH AND DEVELOPMENT

15 For necessary expenses for railroad research and de-
16 velopment, \$20,341,000, to remain available until ex-
17 pended.

18 HIGH-SPEED RAIL TRAINSETS AND FACILITIES

19 For the National Railroad Passenger Corporation,
20 \$80,000,000, to remain available until September 30,
21 1999, to pursue public/private partnerships for high-speed
22 rail trainset and maintenance facility financing arrange-
23 ments.

14 NEXT GENERATION HIGH-SPEED RAIL

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1 TRUST FUND SHARE OF NEXT GENERATION HIGH-
2 SPEED RAIL

3 (LIQUIDATION OF CONTRACT AUTHORIZATION)

4 (HIGHWAY TRUST FUND)

5 For grants and payment of obligations incurred in car-
6 rying out the provisions of the High-Speed Ground Trans-
7 portation program as defined in subsections 1036(c) and
8 1036(d)(1)(B) of the Intermodal Surface Transportation
9 Efficiency Act of 1991, including planning and environ-
10 mental analyses, \$2,855,000, to be derived from the High-
11 way Trust Fund and to remain available until expended.

12 RHODE ISLAND RAIL DEVELOPMENT

13 For the costs associated with construction of a third
14 track on the Northeast Corridor between Davisville and
15 Central Falls, Rhode Island, with sufficient clearance to
16 accommodate double stack freight cars, \$4,000,000 to be
17 matched by the State of Rhode Island or its designee on
18 a dollar for dollar basis and to remain available until ex-
19 pended: *Provided*, That as a condition of accepting such
20 funds, the Providence and Worcester (P&W) Railroad
21 shall enter into an agreement with the Secretary to reim-
22 burse Amtrak and/or the Federal Railroad Administra-
23 tion, on a dollar for dollar basis, up to the first
24 \$10,000,000 in damages resulting from the legal action
25 initiated by the P&W Railroad under its existing contracts

1 with Amtrak relating to the provision of vertical clearances
 2 between Davisville and Central Falls in excess of those re-
 3 quired for present freight operations.

4 DIRECT LOAN FINANCING PROGRAM

5 Notwithstanding any other provision of law,
 6 \$58,680,000, for direct loans not to exceed \$400,000,000
 7 consistent with the purposes of section 505 of the Railroad
 8 Revitalization and Regulatory Reform Act of 1976 (45
 9 U.S.C. 825) as in effect on September 30, 1988, to the
 10 Alameda Corridor Transportation Authority to continue
 11 the Alameda Corridor Project, including replacement of
 12 at-grade rail lines with a below-grade corridor and widen-
 13 ing of the adjacent major highway: *Provided*, That loans
 14 not to exceed the following amounts shall be made on or
 15 after the first day of the fiscal year indicated:

Fiscal year 1997	\$140,000,000
Fiscal year 1998	\$140,000,000
Fiscal year 1999	\$120,000,000

16 *Provided further*, That any loan authorized under this sec-
 17 tion shall be structured with a maximum 30-year repay-
 18 ment after completion of construction at an annual inter-
 19 est rate of not to exceed the 30-year United States Treas-
 20 ury rate and on such terms and conditions as deemed ap-
 21 propriate by the Secretary of Transportation: *Provided*
 22 *further*, That specific provisions of section 505(a)(b) and
 23 (d) shall not apply: *Provided further*, That the Alameda
 24 Corridor Transportation Authority shall be deemed to be

1 a financially responsible person for purposes of section
2 505 of the Act.

3 GRANTS TO THE NATIONAL RAILROAD PASSENGER
4 CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation
7 authorized by 49 U.S.C. 24104, \$462,000,000, to remain
8 available until expended, of which \$342,000,000 shall be
9 available for operating losses and for mandatory passenger
10 rail service payments, and \$120,000,000 shall be for cap-
11 ital improvements: *Provided*, That funding under this head
12 for capital improvements shall not be made available be-
13 fore July 1, 1997: *Provided further*, That none of the
14 funds herein appropriated shall be used for lease or pur-
15 chase of passenger motor vehicles or for the hire of vehicle
16 operators for any officer or employee, other than the presi-
17 dent of the Corporation, excluding the lease of passenger
18 motor vehicles for those officers or employees while in offi-
19 cial travel status.

20 FEDERAL TRANSIT ADMINISTRATION
21 ADMINISTRATIVE EXPENSES

22 For necessary administrative expenses of the Federal
23 Transit Administration's programs authorized by chapter
24 53 of title 49, United States Code, \$41,367,000.

For necessary expenses to carry out 49 U.S.C. 5307, 5310(a)(2), 5311, and 5336, to remain available until expended, \$490,000,000: *Provided*, That no more than \$2,052,925,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds provided under this head for formula grants, no more than \$400,000,000 may be used for operating assistance under 49 U.S.C. 5336(d): *Provided further*, That the limitation on operating assistance provided under this heading shall, for urbanized areas of less than 200,000 in population, be no less than seventy-five percent of the amount of operating assistance such areas are eligible to receive under Public Law 103-331: *Provided further*, That in the distribution of the limitation provided under this heading to urbanized areas that had a population under the 1990 census of 1,000,000 or more, the Secretary shall direct each such area to give priority consideration to the impact of reductions in operating assistance on smaller transit authorities operating within the area and to consider the needs and resources of such transit authorities when the limitation is distributed among all transit authorities operating in the area.

1 UNIVERSITY TRANSPORTATION CENTERS

2 For necessary expenses for university transportation
3 centers as authorized by 49 U.S.C. 5317(b), to remain
4 available until expended, \$6,000,000.

5 TRANSIT PLANNING AND RESEARCH

6 For necessary expenses for transit planning and re-
7 search as authorized by 49 U.S.C. 5303, 5311, 5313,
8 5314, and 5315, to remain available until expended,
9 \$85,500,000, of which \$39,500,000 shall be for activities
10 under Metropolitan Planning (49 U.S.C. 5303);
11 \$4,500,000 for activities under Rural Transit Assistance
12 (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under
13 State Planning and Research (49 U.S.C. 5313(b));
14 \$22,000,000 for activities under National Planning and
15 Research (49 U.S.C. 5314); \$8,250,000 for activities
16 under Transit Cooperative Research (49 U.S.C. 5313(a));
17 and \$3,000,000 for National Transit Institute (49 U.S.C.
18 5315).

19 TRUST FUND SHARE OF EXPENSES

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in carrying out
23 49 U.S.C. 5338(a), \$1,920,000,000, to remain available
24 until expended and to be derived from the Highway Trust
25 Fund: *Provided*, That \$1,920,000,000 shall be paid from

1 the Mass Transit Account of the Highway Trust Fund to
 2 the Federal Transit Administration's formula grants ac-
 3 count.

4 DISCRETIONARY GRANTS

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 None of the funds in this Act shall be available for
 8 the implementation or execution of programs the obliga-
 9 tions for which are in excess of \$1,665,000,000 in fiscal
 10 year 1997 for grants under the contract authority in 49
 11 U.S.C. 5338(b): *Provided*, That there shall be available for
 12 fixed guideway modernization, \$666,000,000; there shall
 13 be available for the replacement, rehabilitation, and pur-
 14 chase of buses and related equipment and the construction
 15 of bus-related facilities, \$333,000,000; and, notwithstand-
 16 ing any other provision of law, except for fixed guideway
 17 modernization projects, \$10,510,000 made available under
 18 Public Law 102-240 and Public Law 102-143 under
 19 "Federal Transit Administration, Discretionary Grants"
 20 for projects specified in those Acts or identified in reports
 21 accompanying those Acts, not obligated by September 30,
 22 1996; together with, notwithstanding any other provision
 23 of law, \$744,000 funds made available for the "New Bed-
 24 ford and Fall River Massachusetts commuter rail exten-
 25 sion" under Public Law 103-331; together with, notwith-

1 standing any other provision of law, \$47,322,000 funds
2 made available for the “Chicago Central Area Circulator
3 Project” in Public Law 103–122 and Public Law 103–
4 331, shall be made available for new fixed guideway sys-
5 tems together with the \$666,000,000 made available for
6 new fixed guideway systems in this Act, to be available
7 as follows:

8 \$66,820,000 for the Atlanta-North Springs
9 project;

10 \$10,260,000 for the Baltimore-LRT Extension
11 project;

12 \$40,181,000 for the Boston Piers-MOS–2
13 project;

14 \$5,500,000 for the Canton-Akron-Cleveland
15 commuter rail project;

16 \$25,000,000, notwithstanding any other provi-
17 sion of law, for transit improvements in the Chicago
18 downtown area;

19 \$3,000,000 for the Cincinnati Northeast-North-
20 ern Kentucky rail line project;

21 \$10,000,000 for the DART North Central light
22 rail extension project;

23 \$12,500,000 for the Dallas-Fort Worth
24 RAILTRAN project;

1 \$1,000,000 for the DeKalb County, Georgia
2 light rail project;
3 \$3,000,000 for the Denver Southwest Corridor
4 project;
5 \$9,000,000 for the Florida Tri-County com-
6 muter rail project;
7 \$2,000,000 for the Griffin light rail project;
8 \$40,590,000 for the Houston Regional Bus
9 project;
10 \$15,300,000 for the Jacksonville ASE extension
11 project;
12 \$1,500,000 for the Kansas City Southtown cor-
13 ridor project;
14 \$90,000,000 for the Los Angeles-MOS-3
15 project;
16 \$1,500,000 for the Los Angeles-San Diego com-
17 muter rail project;
18 \$27,000,000 for the MARC Commuter Rail Im-
19 provements project;
20 \$1,000,000 for the Miami-North 27th Avenue
21 project;
22 \$2,000,000 for the Memphis, Tennessee Re-
23 gional Rail Plan;
24 \$10,000,000 for the New Jersey Urban Core/
25 Hudson-Bergen LRT project;

1 \$105,530,000 for the New Jersey Urban Core/
2 Secaucus project;
3 \$1,000,000 for the New Jersey West Trenton
4 commuter rail project;
5 \$8,000,000 for the New Orleans Canal Street
6 Corridor project;
7 \$2,000,000 for the New Orleans Desire Street-
8 car project;
9 \$35,020,000 for the New York-Queens Connec-
10 tion project;
11 \$500,000 for the Northern Indiana commuter
12 rail project;
13 \$5,000,000 for the Orange County transitway
14 project;
15 \$2,000,000 for the Orlando Lynx light rail
16 project;
17 \$90,000,000 for the Portland-Westside/Hills-
18 boro Extension project;
19 \$6,000,000 for the Sacramento LRT Extension
20 project;
21 \$20,000,000 for the Salt Lake City-South LRT
22 project, of which not less than \$10,000,000 shall be
23 available only for high-occupancy vehicle lane and
24 corridor design costs;

1 \$20,000,000 for the St. Louis-St. Clair Exten-
2 sion project;

3 \$35,000,000 for the San Francisco Area-BART
4 airport extension/San Jose Tasman West LRT
5 projects;

6 \$3,000,000 for the San Diego-Mid-Coast Cor-
7 ridor project;

8 \$9,500,000 for the San Juan Tren Urbano
9 project;

10 \$375,000 for the Staten Island-Midtown Ferry
11 service project;

12 \$2,000,000 for the Tampa to Lakeland com-
13 muter rail project; and

14 \$2,500,000 for the Whitehall ferry terminal,
15 New York, New York.

16 MASS TRANSIT CAPITAL FUND

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in carrying out
20 49 U.S.C. 5338(b) administered by the Federal Transit
21 Administration, \$2,000,000,000, to be derived from the
22 Highway Trust Fund and to remain available until ex-
23 pended.

1 WASHINGTON METROPOLITAN AREA TRANSIT
2 AUTHORITY

3 For necessary expenses to carry out the provisions
4 of section 14 of Public Law 96–184 and Public Law 101–
5 551, \$200,000,000, to remain available until expended.

6 SAINT LAWRENCE SEAWAY DEVELOPMENT
7 CORPORATION

8 The Saint Lawrence Seaway Development Corpora-
9 tion is hereby authorized to make such expenditures, with-
10 in the limits of funds and borrowing authority available
11 to the Corporation, and in accord with law, and to make
12 such contracts and commitments without regard to fiscal
13 year limitations as provided by section 104 of the Govern-
14 ment Corporation Control Act, as amended, as may be
15 necessary in carrying out the programs set forth in the
16 Corporation’s budget for the current fiscal year.

17 OPERATIONS AND MAINTENANCE
18 (HARBOR MAINTENANCE TRUST FUND)

19 For necessary expenses for operation and maintenance
20 of those portions of the Saint Lawrence Seaway operated
21 and maintained by the Saint Lawrence Seaway Develop-
22 ment Corporation, including the Great Lakes Pilotage
23 functions delegated by the Secretary of Transportation,
24 \$10,037,000, to be derived from the Harbor Maintenance
25 Trust Fund, pursuant to Public Law 99–662.

1 RESEARCH AND SPECIAL PROGRAMS

2 ADMINISTRATION

3 RESEARCH AND SPECIAL PROGRAMS

4 For expenses necessary to discharge the functions of
5 the Research and Special Programs Administration,
6 \$23,929,000, of which \$574,000 shall be derived from the
7 Pipeline Safety Fund, and of which \$7,101,000 shall re-
8 main available until September 30, 1999: *Provided*, That
9 up to \$1,200,000 in fees collected under 49 U.S.C.
10 5108(g) shall be deposited in the general fund of the
11 Treasury as offsetting receipts: *Provided further*, That
12 there may be credited to this appropriation funds received
13 from States, counties, municipalities, other public authori-
14 ties, and private sources for expenses incurred for train-
15 ing, for reports publication and dissemination.

16 PIPELINE SAFETY

17 (PIPELINE SAFETY FUND)

18 For expenses necessary to conduct the functions of the
19 pipeline safety program, for grants-in-aid to carry out a
20 pipeline safety program, as authorized by 49 U.S.C.
21 60107, and to discharge the pipeline program responsibil-
22 ities of the Oil Pollution Act of 1990, \$30,988,000, of
23 which \$2,528,000 shall be derived from the Oil Spill Li-
24 ability Trust Fund and shall remain available until Sep-
25 tember 30, 1999; and of which \$28,460,000 shall be de-

1 rived from the Pipeline Safety Fund, of which
 2 \$15,500,000 shall remain available until September 30,
 3 1999: *Provided*, That in addition to amounts made avail-
 4 able for the Pipeline Safety Fund, \$1,000,000 shall be
 5 available for grants to States for the development and es-
 6 tablishment of one-call notification systems and shall be
 7 derived from amounts previously collected under section
 8 7005 of the Consolidated Omnibus Budget Reconciliation
 9 Act of 1985.

10 EMERGENCY PREPAREDNESS GRANTS

11 (EMERGENCY PREPAREDNESS FUND)

12 For necessary expenses to carry out 49 U.S.C. 5127(c),
 13 \$200,000, to be derived from the Emergency Prepared-
 14 ness Fund, to remain available until September 30, 1999:
 15 *Provided*, That none of the funds made available by 49
 16 U.S.C. 5116(i) and 5127(d) shall be made available for
 17 obligation by individuals other than the Secretary of
 18 Transportation, or his designee.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector Gen-
 22 eral to carry out the provisions of the Inspector General
 23 Act of 1978, as amended, \$39,450,000: *Provided*, That
 24 none of the funds under this heading shall be for the con-
 25 duct of contract audits.

1 SURFACE TRANSPORTATION BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the Surface Transpor-
4 tation Board, including services authorized by 5 U.S.C.
5 3109, \$12,344,000: *Provided*, That \$3,000,000 in fees col-
6 lected in fiscal year 1997 by the Surface Transportation
7 Board pursuant to 31 U.S.C. 9701 shall be made available
8 to this appropriation in fiscal year 1997: *Provided further*,
9 That any fees received in excess of \$3,000,000 in fiscal
10 year 1997 shall remain available until expended, but shall
11 not be available for obligation until October 1, 1997.

12 TITLE II

13 RELATED AGENCIES

14 ARCHITECTURAL AND TRANSPORTATION

15 BARRIERS COMPLIANCE BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary for the Architectural and
18 Transportation Barriers Compliance Board, as authorized
19 by section 502 of the Rehabilitation Act of 1973, as
20 amended, \$3,540,000: *Provided*, That, notwithstanding
21 any other provision of law, there may be credited to this
22 appropriation funds received for publications and training
23 expenses.

1 NATIONAL TRANSPORTATION SAFETY BOARD
2 SALARIES AND EXPENSES

3 For necessary expenses of the National Transpor-
4 tation Safety Board, including hire of passenger motor ve-
5 hicles and aircraft; services as authorized by 5 U.S.C.
6 3109, but at rates for individuals not to exceed the per
7 diem rate equivalent to the rate for a GS-18; uniforms,
8 or allowances therefor, as authorized by law (5 U.S.C.
9 5901-5902), \$42,407,000, of which not to exceed \$2,000
10 may be used for official reception and representation ex-
11 penses.

12 TITLE III—GENERAL PROVISIONS
13 (INCLUDING TRANSFERS OF FUNDS)

14 SEC. 301. During the current fiscal year applicable
15 appropriations to the Department of Transportation shall
16 be available for maintenance and operation of aircraft;
17 hire of passenger motor vehicles and aircraft; purchase of
18 liability insurance for motor vehicles operating in foreign
19 countries on official department business; and uniforms,
20 or allowances therefor, as authorized by law (5 U.S.C.
21 5901-5902).

22 SEC. 302. Such sums as may be necessary for fiscal
23 year 1997 pay raises for programs funded in this Act shall
24 be absorbed within the levels appropriated in this Act or
25 previous appropriations Acts.

1 SEC. 303. Funds appropriated under this Act for ex-
2 penditures by the Federal Aviation Administration shall
3 be available (1) except as otherwise authorized by title
4 VIII of the Elementary and Secondary Education Act of
5 1965, 20 U.S.C. 7701, et seq., for expenses of primary
6 and secondary schooling for dependents of Federal Avia-
7 tion Administration personnel stationed outside the con-
8 tinental United States at costs for any given area not in
9 excess of those of the Department of Defense for the same
10 area, when it is determined by the Secretary that the
11 schools, if any, available in the locality are unable to pro-
12 vide adequately for the education of such dependents, and
13 (2) for transportation of said dependents between schools
14 serving the area that they attend and their places of resi-
15 dence when the Secretary, under such regulations as may
16 be prescribed, determines that such schools are not acces-
17 sible by public means of transportation on a regular basis.

18 SEC. 304. Appropriations contained in this Act for
19 the Department of Transportation shall be available for
20 services as authorized by 5 U.S.C. 3109, but at rates for
21 individuals not to exceed the per diem rate equivalent to
22 the rate for an Executive Level IV.

23 SEC. 305. None of the funds in this Act shall be avail-
24 able for salaries and expenses of more than one hundred
25 seven political and Presidential appointees in the Depart-

1 ment of Transportation: *Provided*, That none of the per-
2 sonnel covered by this provision may be assigned on tem-
3 porary detail outside the Department of Transportation.

4 SEC. 306. None of the funds in this Act shall be used
5 for the planning or execution of any program to pay the
6 expenses of, or otherwise compensate, non-Federal parties
7 intervening in regulatory or adjudicatory proceedings
8 funded in this Act.

9 SEC. 307. None of the funds appropriated in this Act
10 shall remain available for obligation beyond the current
11 fiscal year, nor may any be transferred to other appropria-
12 tions, unless expressly so provided herein.

13 SEC. 308. The Secretary of Transportation may enter
14 into grants, cooperative agreements, and other trans-
15 actions with any person, agency, or instrumentality of the
16 United States, any unit of State or local government, any
17 educational institution, and any other entity in execution
18 of the Technology Reinvestment Project authorized under
19 the Defense Conversion, Reinvestment and Transition As-
20 sistance Act of 1992 and related legislation: *Provided*,
21 That the authority provided in this section may be exer-
22 cised without regard to section 3324 of title 31, United
23 States Code.

24 SEC. 309. The expenditure of any appropriation
25 under this Act for any consulting service through procure-

1 ment contract pursuant to section 3109 of title 5, United
2 States Code, shall be limited to those contracts where such
3 expenditures are a matter of public record and available
4 for public inspection, except where otherwise provided
5 under existing law, or under existing Executive order is-
6 sued pursuant to existing law.

7 SEC. 310. (a) For fiscal year 1997 the Secretary of
8 Transportation shall distribute the obligation limitation
9 for Federal-aid highways by allocation in the ratio which
10 sums authorized to be appropriated for Federal-aid high-
11 ways that are apportioned or allocated to each State for
12 such fiscal year bear to the total of the sums authorized
13 to be appropriated for Federal-aid highways that are ap-
14 portioned or allocated to all the States for such fiscal year.

15 (b) During the period October 1 through December
16 31, 1996, no State shall obligate more than 25 per centum
17 of the amount distributed to such State under subsection
18 (a), and the total of all State obligations during such pe-
19 riod shall not exceed 12 per centum of the total amount
20 distributed to all States under such subsection.

21 (c) Notwithstanding subsections (a) and (b), the Sec-
22 retary shall—

23 (1) provide all States with authority sufficient
24 to prevent lapses of sums authorized to be appro-

1 priated for Federal-aid highways that have been ap-
2 portioned to a State;

3 (2) after August 1, 1997, revise a distribution
4 of the funds made available under subsection (a) if
5 a State will not obligate the amount distributed dur-
6 ing that fiscal year and redistribute sufficient
7 amounts to those States able to obligate amounts in
8 addition to those previously distributed during that
9 fiscal year giving priority to those States having
10 large unobligated balances of funds apportioned
11 under sections 103(e)(4), 104, and 144 of title 23,
12 United States Code, and under sections 1013(c) and
13 1015 of Public Law 102–240; and

14 (3) not distribute amounts authorized for ad-
15 ministrative expenses and funded from the adminis-
16 trative takedown authorized by section 104(a), title
17 23 U.S.C., the Federal lands highway program, the
18 intelligent transportation systems program, and
19 amounts made available under sections 1040, 1047,
20 1064, 6001, 6005, 6006, 6023, and 6024 of Public
21 Law 102–240, and 49 U.S.C. 5316, 5317, and
22 5338: *Provided*, That amounts made available under
23 section 6005 of Public Law 102–240 shall be subject
24 to the obligation limitation for Federal-aid highways

1 and highway safety construction programs under the
2 head “Federal-Aid Highways” in this Act.

3 (d) During the period October 1 through December
4 31, 1996, the aggregate amount of obligations under sec-
5 tion 157 of title 23, United States Code, for projects cov-
6 ered under section 147 of the Surface Transportation As-
7 sistance Act of 1978, section 9 of the Federal-Aid High-
8 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-
9 lic Law 97–424, sections 1061, 1103 through 1108, 4008,
10 and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,
11 and for projects authorized by Public Law 99–500 and
12 Public Law 100–17, shall not exceed \$277,431,840.

13 (e) During the period August 2 through September
14 30, 1997, the aggregate amount which may be obligated
15 by all States shall not exceed 2.5 percent of the aggregate
16 amount of funds apportioned or allocated to all States—

17 (1) under sections 104 and 144 of title 23,
18 United States Code, and 1013(c) and 1015 of Public
19 Law 102–240, and

20 (2) for highway assistance projects under sec-
21 tion 103(e)(4) of title 23, United States Code,
22 which would not be obligated in fiscal year 1997 if the
23 total amount of the obligation limitation provided for such
24 fiscal year in this Act were utilized.

1 (f) Paragraph (e) shall not apply to any State which
2 on or after August 1, 1997, has the amount distributed
3 to such State under paragraph (a) for fiscal year 1997
4 reduced under paragraph (c)(2).

5 SEC. 311. The limitation on obligations for the pro-
6 grams of the Federal Transit Administration shall not
7 apply to any authority under 49 U.S.C. 5338, previously
8 made available for obligation, or to any other authority
9 previously made available for obligation under the discre-
10 tionary grants program.

11 SEC. 312. None of the funds in this Act shall be used
12 to implement section 404 of title 23, United States Code.

13 SEC. 313. None of the funds in this Act shall be avail-
14 able to plan, finalize, or implement regulations that would
15 establish a vessel traffic safety fairway less than five miles
16 wide between the Santa Barbara Traffic Separation
17 Scheme and the San Francisco Traffic Separation
18 Scheme.

19 SEC. 314. Notwithstanding any other provision of
20 law, airports may transfer, without consideration, to the
21 Federal Aviation Administration (FAA) instrument land-
22 ing systems (along with associated approach lighting
23 equipment and runway visual range equipment) which
24 conform to FAA design and performance specifications,
25 the purchase of which was assisted by a Federal airport

1 aid program, airport development aid program or airport
2 improvement program grant. The FAA shall accept such
3 equipment, which shall thereafter be operated and main-
4 tained by the FAA in accordance with agency criteria.

5 SEC. 315. None of the funds in this Act shall be avail-
6 able to award a multiyear contract for production end
7 items that (1) includes economic order quantity or long
8 lead time material procurement in excess of \$10,000,000
9 in any one year of the contract or (2) includes a cancella-
10 tion charge greater than \$10,000,000 which at the time
11 of obligation has not been appropriated to the limits of
12 the government's liability or (3) includes a requirement
13 that permits performance under the contract during the
14 second and subsequent years of the contract without con-
15 ditioning such performance upon the appropriation of
16 funds: *Provided*, That this limitation does not apply to a
17 contract in which the Federal Government incurs no fi-
18 nancial liability from not buying additional systems, sub-
19 systems, or components beyond the basic contract require-
20 ments.

21 SEC. 316. None of the funds provided in this Act
22 shall be made available for planning and executing a pas-
23 senger manifest program by the Department of Transpor-
24 tation that only applies to United States flag carriers.

1 SEC. 317. Notwithstanding any other provision of
2 law, and except for fixed guideway modernization projects,
3 funds made available by this Act under “Federal Transit
4 Administration, Discretionary grants” for projects speci-
5 fied in this Act or identified in reports accompanying this
6 Act not obligated by September 30, 1999, shall be made
7 available for other projects under 49 U.S.C. 5309.

8 SEC. 318. Notwithstanding any other provision of
9 law, any funds appropriated before October 1, 1993, under
10 any section of chapter 53 of title 49 U.S.C., that remain
11 available for expenditure may be transferred to and ad-
12 ministered under the most recent appropriation heading
13 for any such section.

14 SEC. 319. None of the funds in this Act shall be avail-
15 able to implement or enforce regulations that would result
16 in the withdrawal of a slot from an air carrier at O’Hare
17 International Airport under section 93.223 of title 14 of
18 the Code of Federal Regulations in excess of the total slots
19 withdrawn from that air carrier as of October 31, 1993
20 if such additional slot is to be allocated to an air carrier
21 or foreign air carrier under section 93.217 of title 14 of
22 the Code of Federal Regulations.

23 SEC. 320. None of the funds in this Act may be used
24 to compensate in excess of 335 technical staff years under
25 the federally-funded research and development center

1 contract between the Federal Aviation Administration
2 and the Center for Advanced Aviation Systems Develop-
3 ment during fiscal year 1997.

4 SEC. 321. Funds provided in this Act for the Trans-
5 portation Administrative Service Center (TASC) shall be
6 reduced by \$10,000,000, which limits fiscal year 1997
7 TASC obligational authority for elements of the Depart-
8 ment of Transportation funded in this Act to no more
9 than \$114,812,000: *Provided*, That such reductions from
10 the budget request shall be allocated by the Department
11 of Transportation to each appropriations account in pro-
12 portion to the amount included in each account for the
13 transportation administrative service center.

14 SEC. 322. Funds received by the Federal Highway
15 Administration, Federal Transit Administration, and Fed-
16 eral Railroad Administration from States, counties, mu-
17 nicipalities, other public authorities, and private sources
18 for expenses incurred for training may be credited respec-
19 tively to the Federal Highway Administration's "Limita-
20 tion on General Operating Expenses" account, the Federal
21 Transit Administration's "Transit Planning and Re-
22 search" account, and to the Federal Railroad Administra-
23 tion's "Railroad Safety" account, except for State rail
24 safety inspectors participating in training pursuant to 49
25 U.S.C. 20105.

1 SEC. 323. None of the funds in this Act shall be avail-
2 able to prepare, propose, or promulgate any regulations
3 pursuant to title V of the Motor Vehicle Information and
4 Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing
5 corporate average fuel economy standards for automobiles,
6 as defined in such title, in any model year that differs
7 from standards promulgated for such automobiles prior to
8 enactment of this section.

9 SEC. 324. None of the funds in this Act may be used
10 for planning, engineering, design, or construction of a
11 sixth runway at the new Denver International Airport,
12 Denver, Colorado.

13 SEC. 325. Notwithstanding 31 U.S.C. 3302, funds re-
14 ceived by the Bureau of Transportation Statistics from the
15 sale of data products, for necessary expenses incurred pur-
16 suant to the provisions of section 6006 of the Intermodal
17 Surface Transportation Efficiency Act of 1991, may be
18 credited to the Federal-aid highways account for the pur-
19 pose of reimbursing the Bureau for such expenses: *Pro-*
20 *vided*, That such funds shall not be subject to the obliga-
21 tion limitation for Federal-aid highways and highway safe-
22 ty construction: *Provided further*, That in addition to
23 amounts otherwise provided in this Act, not to exceed
24 \$3,100,000 in expenses of the Bureau of Transportation
25 Statistics necessary to conduct activities related to airline

1 statistics may be incurred, but only to the extent such ex-
2 penses are offset by user fees charged for those activities
3 and credited as offsetting collections.

4 SEC. 326. The Secretary of Transportation is author-
5 ized to transfer funds appropriated in this Act to “Rental
6 payments” for any expense authorized by that appropria-
7 tion in excess of the amounts provided in this Act: *Pro-*
8 *vided*, That prior to any such transfer, notification shall
9 be provided to the House and Senate Committees on Ap-
10 propriations.

11 SEC. 327. None of the funds in this Act may be obli-
12 gated or expended for employee training which: (a) does
13 not meet identified needs for knowledge, skills and abilities
14 bearing directly upon the performance of official duties;
15 (b) contains elements likely to induce high levels of emo-
16 tional response or psychological stress in some partici-
17 pants; (c) does not require prior employee notification of
18 the content and methods to be used in the training and
19 written end of course evaluations; (d) contains any meth-
20 ods or content associated with religious or quasi-religious
21 belief systems or “new age” belief systems as defined in
22 Equal Employment Opportunity Commission Notice N-
23 915.022, dated September 2, 1988; (e) is offensive to, or
24 designed to change, participants’ personal values or life-
25 style outside the workplace; or (f) includes content related

1 to human immunodeficiency virus/acquired immune defi-
2 ciency syndrome (HIV/AIDS) other than that necessary
3 to make employees more aware of the medical ramifica-
4 tions of HIV/AIDS and the workplace rights of HIV-posi-
5 tive employees.

6 SEC. 328. None of the funds in this Act shall, in the
7 absence of express authorization by Congress, be used di-
8 rectly or indirectly to pay for any personal service, adver-
9 tisement, telegram, telephone, letter, printed or written
10 matter, or other device, intended or designed to influence
11 in any manner a Member of Congress, to favor or oppose,
12 by vote or otherwise, any legislation or appropriation by
13 Congress, whether before or after the introduction of any
14 bill or resolution proposing such legislation or appropria-
15 tion: *Provided*, That this shall not prevent officers or em-
16 ployees of the Department of Transportation or related
17 agencies funded in this Act from communicating to Mem-
18 bers of Congress on the request of any Member or to Con-
19 gress, through the proper official channels, requests for
20 legislation or appropriations which they deem necessary
21 for the efficient conduct of the public business.

22 SEC. 329. None of the funds in this Act may be used
23 to support Federal Transit Administration's field oper-
24 ations and oversight of the Washington Metropolitan Area

1 Transit Authority in any location other than from the
2 Washington, D.C. metropolitan area.

3 SEC. 330. None of the funds made available in this
4 Act may be used for improvements to the Miller Highway
5 in New York City, New York.

6 SEC. 331. Not to exceed \$850,000 of the funds pro-
7 vided in this Act for the Department of Transportation
8 shall be available for the necessary expenses of advisory
9 committees.

10 SEC. 332. Notwithstanding any other provision of
11 law, the Secretary may use funds appropriated under this
12 Act, or any subsequent Act, to administer and implement
13 the exemption provisions of 49 CFR 580.6 and to adopt
14 or amend exemptions from the disclosure requirements of
15 49 CFR part 580 for any class or category of vehicles
16 that the Secretary deems appropriate.

17 SEC. 333. No funds other than those appropriated
18 to the Surface Transportation Board shall be used for con-
19 ducting the activities of the Board.

20 SEC. 334. None of the funds made available in this
21 Act may be used to construct, or to pay the salaries or
22 expenses of Department of Transportation personnel who
23 approve or facilitate the construction of, a third track on
24 the Metro-North Railroad Harlem Line in the vicinity of
25 Bronxville, New York, when it is made known to the Fed-

1 eral official having authority to obligate or expend such
2 funds that a final environmental impact statement has not
3 been completed for such construction project.

4 SEC. 335. Section 5328(c)(1)(E) of title 49, United
5 States Code, is amended—

6 (1) by striking “Westside” the first place it ap-
7 pears;

8 (2) by striking “and” after “101–584,”; and

9 (3) by inserting before the period at the end the
10 following: “, and the locally preferred alternative for
11 the South/North Corridor Project”.

12 SEC. 336. Notwithstanding any other provision of
13 law, of the funds made available to Cleveland for the
14 “Cleveland Dual Hub Corridor Project” or “Cleveland
15 Dual Hub Rail Project,” \$4,023,030 in funds made avail-
16 able in fiscal years 1991, 1992, and 1994, under Public
17 Laws 101–516, 102–143, 102–240, 103–122, and accom-
18 panying reports, shall be made available for the Berea Red
19 Line Extension and the Euclid Corridor Improvement
20 projects.

21 SEC. 337. Notwithstanding any other provision of
22 law, funds made available under section 3035(kk) of Pub-
23 lic Law 102–240 for fiscal year 1997 to the State of
24 Michigan shall be for the purchase of buses and bus-relat-
25 ed equipment and facilities.

1 SEC. 338. In addition to amounts otherwise provided
2 in this Act, there is hereby appropriated \$2,400,000 for
3 activities of the National Civil Aviation Review Commis-
4 sion, to remain available until expended.

5 SEC. 339. Section 423 of H.R. 1361, as passed the
6 House of Representatives on May 9, 1995, is hereby en-
7 acted into law.

8 SEC. 340. (a) COMPLIANCE WITH BUY AMERICAN
9 ACT.—None of the funds made available in this Act may
10 be expended by an entity unless the entity agrees that in
11 expending the funds the entity will comply with the Buy
12 American Act (41 U.S.C. 10a–10c).

13 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
14 ING NOTICE.—

15 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
16 AND PRODUCTS.—In the case of any equipment or
17 product that may be authorized to be purchased
18 with financial assistance provided using funds made
19 available in this Act, it is the sense of the Congress
20 that entities receiving the assistance should, in ex-
21 pending the assistance, purchase only American-
22 made equipment and products to the greatest extent
23 practicable.

24 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
25 In providing financial assistance using funds made

7 If it has been finally determined by a court or Federal
8 agency that any person intentionally affixed a label bear-
9 ing a “Made in America” inscription, or any inscription
10 with the same meaning, to any product sold in or shipped
11 to the United States that is not made in the United
12 States, the person shall be ineligible to receive any con-
13 tract or subcontract made with funds made available in
14 this Act, pursuant to the debarment, suspension, and ineli-
15 gibility procedures described in sections 9.400 through
16 9.409 of title 48, Code of Federal Regulations.

SEC. 401. Notwithstanding any other provision of law, semitrailer units operating in a truck tractor-semitrailer combination whose semitrailer unit is more than forty-eight feet in length and truck tractor-semitrailer-trailer combinations specified in section 31111(b)(1) of title 49, United States Code, may not operate on United States Route 15 in Virginia between the

1 Maryland border and the intersection with United States
2 Route 29.

3 SEC. 402. Item 30 of the table contained in section
4 1107(b) of the Intermodal Surface Transportation Effi-
5 ciency Act of 1991 (105 Stat. 2050), relating to Mobile,
6 Alabama, is amended in the second column by inserting
7 after “Alabama” the following: “and for feasibility studies,
8 preliminary engineering, and construction of a new bridge
9 and approaches over the Mobile River”.

10 SEC. 403. Item 94 of the table contained in section
11 1107(b) of the Intermodal Surface Transportation Effi-
12 ciency Act of 1991 (105 Stat. 2052), relating to St. Thom-
13 as, Virgin Islands, is amended—

14 (1) by striking “St. Thomas,”; and

15 (2) by inserting after “the island” the follow-
16 ing: “of St. Thomas and improvements to the VIPA
17 Molasses Dock intermodal port facility on the island
18 of St. Croix to make the facility capable of handling
19 multiple cargo tasks”.

20 SEC. 404. The Secretary of Transportation is hereby
21 authorized to enter into an agreement modifying the
22 agreement entered into pursuant to section 336 of the De-
23 partment of Transportation and Related Agencies Appro-
24 priations Act, 1995 (Public Law 103–331) and section
25 356 of the Department of Transportation and Related

1 Agencies Appropriations Act, 1996 (Public Law 104–50)
2 to provide an additional line of credit not to exceed
3 \$25,000,000, which may be used to replace otherwise re-
4 quired contingency reserves; provided, however, that the
5 Secretary may only enter into such modification if it is
6 supported by the amount of the original appropriation
7 (provided by section 336 of Public Law 103–331). No ad-
8 ditional appropriation is made by this section. In imple-
9 menting this section, the Secretary may enter into an
10 agreement requiring an interest rate, on both the original
11 line of credit and the additional amount provided for here-
12 in, higher than that currently in force and higher than
13 that specified in the original appropriation. An agreement
14 entered into pursuant to this section may not obligate the
15 Secretary to make any funds available until all remaining
16 contingency reserves are exhausted, and in no event shall
17 any funds be made available before October 1, 1998.

18 SEC. 405. Public Law 100–202 is amended in the
19 item relating to “Traffic Improvement Demonstration
20 Project” by inserting after “project” the following: “or up-
21 grade existing local roads”.

22 TITLE V—ADDITIONAL GENERAL PROVISIONS

23 SEC. 501. (a) LIMITATION ON NEW LOAN GUARAN-
24 TEES FOR CERTAIN RAILROAD PROJECTS.—None of the
25 funds made available in this Act may be used for the cost

1 of any new loan guarantee commitment for any railroad
2 project, when it is made known to the Federal official hav-
3 ing authority to obligate or expend such funds that such
4 railroad project is an international railroad project of the
5 United States and another country, or a railroad project
6 in the United States in the vicinity of the United States
7 border with another country.

8 (b) EXCEPTION.—Subsection (a) shall not apply
9 when it is made known to the Federal official having au-
10 thority to obligate or expend such funds that—

11 (1) a comprehensive study has been conducted
12 after the date of the enactment of this Act regarding
13 criminal activities that have occurred on existing
14 railroads of such type, including—

15 (A) the use of such railroads to facilitate
16 the smuggling of illegal aliens and illegal drugs
17 into the United States, and the impact of such
18 smuggling on the total number of illegal aliens,
19 and the total amount of illegal drugs, entering
20 the United States; and

21 (B) the commission of robberies against
22 such railroads; and

23 (2) a detailed report setting forth the results of
24 such study has been issued and made available to
25 the public.

1 SEC. 502. None of the funds made available in this
2 Act may be used by the National Transportation Safety
3 Board to plan, conduct, or enter into any contract for a
4 study to determine the feasibility of allowing individuals
5 who are more than 60 years of age to pilot commercial
6 aircraft.

7 This Act may be cited as the “Department of Trans-
8 portation and Related Agencies Appropriations Act,
9 1997”.

Passed the House of Representatives June 28 (legis-
lative day of June 27), 1996.

Attest:

Clerk.